

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ
مَثْنَىٰ وَثُلَاثَ وَرُبْعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ
أَيْمَانُكُمْ ذَٰلِكَ أَدْنَىٰ أَلَّا تَعُولُوا ﴿٣﴾

Polygamy

in the light of Quran

Tafsir of Surah An Nisa:3 from Ma'ariful Quran

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وَأِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَىٰ وَثُلَاثَ
وَرُبَاعَ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَلِكَ أَدْنَىٰ أَلَّا تَعُولُوا (3)

And if your fear that you will not do justice to the orphan, then, marry the women you like, in twos, in threes and in fours. But, if you fear that you will not maintain equity, then (keep to) one woman, or a bondwoman you own. It will be closer to your not doing injustice.

Sequence

In the previous verse, guardians were warned against pilferage or misappropriation in the property of orphans. The present verse is an extension of the basic command from another angle. Here they are warned against any attempt to marry orphaned girls under their guardianship hoping to get away by fixing a dower of their choice and claiming their properties as additional benefit.

So, the Holy Quran has very clearly declared that every excuse, device or stratagem set up to usurp the property of the orphan is impermissible. It is the duty of the guardians that they should protect the rights of the orphans honestly.

Commentary

Orphaned girls: Violation of their rights and its prevention:

During *Jahiliyyah* guardians holding orphaned girls under their charge used to pick up the ones who had good looks or owned properties of value and marry them or arranged to have them married to their sons. They would fix the dower of their choice, usually the lowest, and maintained them in whatever manner they elected for they were the very guardians and caretakers for them. Their fathers were not there to take care of their rights who would have certainly given them in marriage to a suitable person after full deliberation on all aspects a daughter faces in married life and would have made sure that they remain happy and well-covered.

There is a narration in Sahih Al Bukhari from Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهُ which reports that an incident of this nature came to pass during the blessed time of the Holy Prophet ﷺ. There was someone who had an orphaned girl under his guardianship. He had a fruit-farm in which this girl held a share. This man married the orphaned girl and, rather than

give her dower and things from his pocket, took her very share in the farm in his possession. Thereupon, the following verse was revealed:

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ

And if you fear that you will not do justice to the orphans, then marry the women you like...

It means that if you apprehend that after marrying a girl under your guardianship, you cannot do justice to her, then, instead of marrying her, you should marry other women of your choice.

The Marriage of Minors

The word, '*yatama*' in this verse means orphaned girls. In the terminology of the Shari'ah, a '*yatim*' is a boy or girl who has not yet attained the age of puberty. So, this verse proves that the guardian of an orphaned girl does have the right to give her in marriage while she is a minor and has not attained the age of puberty, but on condition that this decision is based on wisdom and the future welfare of the girl. This is to avoid unfair practices common in some communities where a grown up girl is married to a child without any regard for the difference in their ages or without any investigation into the living conditions or character of the boy.

The orphaned girls who have attained the age of puberty are, no doubt, entitled to choose their husbands freely on the basis of their majority. Nevertheless, girls (in traditionally Islamic societies) tend to be modest and shy and usually would not come out strong or freely express their opinions in matters relating to their marriage in spite of being major and having the right to choose. As a result, they are likely to accept what their guardians do for them in good faith. If so, it is the bounden duty of guardians that they too should stay clear from taking any step that may violate the rights of orphaned girls.

In short, this verse lays down the injunction that total vigilance should be observed to make sure that the marital rights of orphaned girls are not violated in any manner whatsoever. However, the responsibility of enforcing this injunction has not been directly placed on the shoulders of the government as is usual with laws promulgated by governments. Instead of that, people themselves have been commanded to fear Allah and do what is right. That is, should they apprehend injustice in marrying orphaned girls, they must cast off the idea and marry elsewhere from a wide range of choices available.

Added to this Divine motivation to abide by prescribed law is the responsibility placed on its enforcing agencies in the government. It is their duty to oversee that there occurs no such violation of rights in the society. If it does, they must use the force of law to ensure that these rights are fulfilled as due.

Polygamy and its currency before Islam

That one man could have more than one wife was something considered permissible in all religions of the world even before the advent of Islam. The custom prevailed in Arabia, India, Iran, Egypt, Babylon and among peoples elsewhere. Its natural validity cannot be denied even to this day. The Europeans of the present age tried to break away from the practice of their predecessors and made multiplicity of marriage impermissible. It resulted in the multiplicity of concubines and girl-friends retained out of wedlock. It was the validity of the natural that there has been a consistent opinion bank in the West (though not so effective) which recognizes the efficacy of plurality of marriage. Davenport, the well-known Christian writer has deduced from the Bible that plurality of wives is not only favourable but is a source of blessing from God. Others such as Father Nixon, John Milton and Isac Taylor have supported this view strongly. Similarly, Vedic teachings permit unlimited number of wives, even in tens and thirteens and twenty-sevens, at one time. Shri Krishna, a highly respected deity among Hindus, had hundreds of wives.

The truth of the matter is that a religion or law which aims to establish an infrastructure of chastity and modesty and considers the eradication of adultery as necessary has no way out except that it permits plurality of wives. Apart from being a preventive measure against adultery, it serves as a remedial approach to the problem of comparatively larger female population in some areas as compared to that of men. If such permission was not granted, mistresses and prostitutes would proliferate. This is why nations which do not permit plurality of wives must live in rampant adultery (calling it 'free sex' hardly changes the reality). Even in our own time, if we look at the state of nations in Europe and

America, we will see that they look down on what they call polygamy and put a ban on plurality of wives, but they permit a man to practice adultery with as many women as he can get under the cover of 'friendship', (and unlimited are the euphemisms invented to give it other names, such as, 'relationship', 'affair', 'consenting adults', 'union', 'partner' to get around the ban). Saying no to marriage and yes to adultery is certainly very strange!

To be short, we can say that the custom of taking a large number of wives was prevailing before Islam without any imposition of limits. The history of nations and beliefs shows that no religion or law had drawn a line in this matter, neither the Jews and Christians, nor the Hindus and Aryans or the Zoroastrians.

During the early period of Islam, this custom continued without being limited. As a result, people initially took too many wives to satisfy their greed. Later on they could not do justice to all of them and these wives of theirs lived like prisoners bound in the chains of marriage. Under such conditions, the idea of an equitable treatment of wives was practically non-existent. It was all a matter of personal choice or whim which could make the darling of the day a history of tomorrow. The concern for standing rights was a far cry.

It was the Holy Quran which stopped this great injustice prevailing in the human society at large. It restricted the plurality or multiplicity of wives by declaring that keeping more than four women under the bond of marriage was forbidden (*haram*). In addition to that, stern warning was given against any contravention of the Divine command which emphatically demanded that equality in fulfilling the rights of women taken into the bond of marriage at the same time must be maintained faithfully. The words of the verse are:

فَانْكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَى وَثُلَاثَ وَرُبَاعَ

Marry the women you like, in twos, in threes and in fours. (4:3)

The expression مَا طَابَ: '*ma taba*' in this verse, as explained by Hasan Al Basri, Ibn Jubair and Ibn Malik, may the mercy of Allah be upon them, means: مَا حَلَّ: '*ma halla*', that is, women who are lawful for you.

There are others who, taking the literal meaning of '*ma taba*', have explained it to mean, 'whom you like'. But, there is no contradiction here. It could simply mean, 'women you like out of your natural inclination and that they be lawful for you in terms of the Shari'ah as well.'

On the one hand, permission has been given in this verse that more than one wife can be conjoined in marriage in twos, threes or fours; while, on the other, after having taken the number to four, restriction was placed that more than four women cannot be taken in marriage at one given time.

This particular restriction of the Holy Quran was made much more clear by a ruling given by the Holy Prophet ﷺ. It has been reported that, soon after the revelation of this verse a person by the name of Ghailan ibn Aslamah Ath Thaqafi embraced Islam. At that time, he had ten wives who had also embraced Islam. Pursuant to the Quranic injunction, the Holy Prophet ﷺ asked him to select and retain four and release the rest by giving them divorce. Ghailan ibn Aslamah Al Thaqafi obeyed the command, retained four women and severed his marital link with the rest (Mishkat, p. 274, with reference to At Tirmizi and Ibn Majah). Citing another incident appearing as a complement of this very narration in the Musnad of Imam Ahmad will not really be out of place as it also relates to the rights of women.

According to this report, Ghailan ibn Aslamah had retained four women in accordance with the rule of Shari'ah, but during the Caliphate of Sayyidna 'Umar, he divorced them as well and distributed all his assets among his sons. When Sayyidna 'Umar found this out, he summoned him and said: “You have done this to deprive these women from your inheritance which is a gross injustice. So, revoke the divorce you have given to them right now and take your assets back from your sons, and if you do not do this, then beware of a severe punishment.”

Qais ibn Al Harith Al Asadi رَضِيَ اللهُ عَنْهُ says: ‘When I embraced Islam, I had eight wives. I mentioned this to the Holy Prophet ﷺ. He said: “Keep four of them and divorce the rest.”’ (Abu Dawud, p. 304)

According to a report in Musnad Al Imam Al Shafi'i, when Sayyidna Nawfal ibn Mu'awiyah Ad Daylami رَضِيَ اللهُ عَنْهُ embraced Islam, he had five women in his *nikah*. The Holy Prophet ﷺ asked him too to divorce one woman. This incident appears in Mishkat as well (p. 274) with reference to Sharh Al Sunnah. In short, the blessed practice of the Holy Prophet ﷺ and his noble Companions very clearly illustrates the meaning of this verse, that is, conjoining more than four women in the bond of marriage is *haram* (forbidden).

The Noble Wives of the Holy Prophet ﷺ

The class of his person and the excellences of his virtues make the Holy Prophet ﷺ mercy and blessing personified. The main purpose of his life in this mortal world was to spread the call of Islam, purify people and teach the Quran. He, by his word and deed, made the teachings of Islam radiate all over the world. His unique style shows that he practiced what he taught. As such, there is no department of human life which can claim not to need the guidance of a prophet. So, right from the establishment of congregational prayer to maintaining good relations with wives, upbringing of children, even to the purificatory aspects of the human call of nature, there exists a roster of verbal and practical instructions left by him in the books of *Hadith*. They tell us in great details the things he did inside the walls of his home, how he related to his wives and how he answered questions posed by women who visited his home for this purpose. Such questions can

be counted in hundreds, questions that highlight the intermediacy of his blessed wives through whom the Muslim *ummah* received necessary guidance. Any other setting for this purpose would have been hard to bring about. So, this crucial religious need, the need for education, teaching and propagation made it all the more imperative that the Holy Prophet ﷺ marry the wives he did. Think of Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهَا. There are some two thousand and ten narrations reported from her. They cover a wide range of subjects which includes the explanation of the injunctions of the Holy Quran, religious questions and their answers, morals and manners and the *Sirah* of the Prophet of Islam. The narrations reported from Sayyidah Umm Salmah رَضِيَ اللَّهُ عَنْهَا reach up to three hundred and seventy eight.

All these are readily available in books of *Hadith*. In A'lamul Muwaqqa'in (v.1, p.9), Hafiz Ibn Al Qaiyyim has said: If the *fatawa* (religious rulings) of Sayyidah Umm Salmah رَضِيَ اللَّهُ عَنْهَا which she gave after the demise of the Holy Prophet ﷺ were to be collected it could become a treatise on its own.

The high rank Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهَا has in the narration and knowledge of *Hadith* and in jurisprudence and rulings is far too well-known to repeat here. Her disciples alone come to around two hundred. She was the beacon-light of religious knowledge for an uninterrupted period of forty-eight long years after the demise of the Holy Prophet ﷺ and was highly effective in carrying his mission forward.

These brief remarks about two blessed wives of the Holy Prophet ﷺ have been given here just to serve as an example, otherwise there are many more *Hadith* narrations originating from others as well. Obviously, the benefits of such religious teaching and preaching came through the good offices of these sacred ladies.

That the Prophet of Islam had the most exalted of objectives in sight, that he came in the golden line of great prophets, and that, as such, he saw the whole world as a unit and thought about correcting all human relationships individually, collectively and in families and in nations are spiritual ideals the modern man, the desire-driven robot of today, is simply incapable of conceptualizing. The most he or she can do is to think of everybody else on his or her own personal analogy. This chronic malady in the intellectual makeup of the atheists and orientalists of West has taken them to feeling comfortable in perversity, the end-product of which is their mal-assessment of the otherwise unchallengeable character of the Holy Prophet ﷺ. According to their limits of 'civilized' thinking, his many marriages were simply an expression of his sexual desires (God forbid). To say the least, it can be said that anyone sane and just can never interpret his marriages to have issued forth from that source only if he were to even glance at his life and character.

Right before the eyes of the Quraysh tribe of Makkah, he led a blame-free life in a way that he, when twenty-five, married an aged widow with children (whose two earlier husbands had died) and went on living with her for the next twenty-five years. It was also during this period that he used to leave home, sometimes for as long as a month, and stay in seclusion at the Cave of Hira devoting his time to the remembrance of his Lord. All his marriages came after his blessed age was beyond fifty. The first fifty years of his life, especially his younger years and his youth, were all too visible to the people of Makkah. Nobody, not even an enemy, ever found an occasion to point an accusing finger at him about anything that could put his pristine piety and purity in doubt. His enemies tried whatever arrows they had in their quiver. They accused him of being a magician, a sorcerer, a poet, madman, liar, fabricator. But, they never dared say anything, not one word, about his innocent life, about whatever could refer to any crookedness of extra-marital sex or passion.

Under these conditions, would it not be worth exploring as to why someone who had spent fifty years of his life in such righteousness and piety and in such peaceful abstinence from the good things of life, would be compelled to marry more than once? What was the urge? Anyone with the least fund of justice in him would not see any other reason behind this plurality of such marriages as being stated here. Now, let us go a little farther. Let us look at the very reality of these marriages as to how they came to pass.

From age twenty-five to the blessed age of fifty, Sayyidah Khadijah رَضِيَ اللَّهُ عَنْهَا lived with him as the only wife. When she died, the marriage with Sayyidah Saudah and Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهُمَا was solemnized. But, it was Sayyidah Saudah who came to live with him while Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهُمَا continued to live with her father in view of her minority. It was after some years (in year 2 of the Hijrah) that Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهَا came to live with him at Madinah Munawwarah. This is the time when he was in his fifty-fourth year. At this age he had two wives. What is known as plurality of marriages starts from this point.

After one year, his marriage with Sayyidah Hafsa took place. After some months, Sayyidah Zainab bint Khuzaymah رَضِيَ اللَّهُ عَنْهَا came into his *nikah* but died only eighteen months later. According to one report she lived only three months as his wife. Then, he was married to Sayyidah Umm Salmah رَضِيَ اللَّهُ عَنْهَا in 4 A.H. and to Sayyidah Zainab bint Jahsh رَضِيَ اللَّهُ عَنْهَا in 5 A.H. This is the time when he was fifty-eight. At this fairly advanced age, he had four wives, although he could have had four wives immediately after the Quranic permission given to Muslims that they could, if need be, keep four wives. But, he never did this. Later, he married Sayyidah Juwayriyyah in 6 A.H., Sayyidah Umm Habibah in 7 A.H., Sayyidah Safiyyah in 7 A.H. and Sayyidah Maymunah رَضِيَ اللَّهُ عَنْهَا later on in the same year.

To sum up, we see that he lived with only one wife up to the age of fifty-four years. In other words, he lived for twenty-five years with Sayyidah Khadijah and four to five years with

Sayyidah Saudah. After that, when he was fifty-eight, he had four wives, the rest of the blessed wives came to live with him within a period of 2-3 years.

It is worth mentioning here that, out of all the wives he had, there was only one who was married to him as a virgin, that is, the Mother of the Faithful, Sayyidah 'Aishah As Siddiqah رَضِيَ اللَّهُ عَنْهَا. Other than her, all wives, may Allah sanctify their honour, were widows (with the exception of lady Zainab bint Jahsh) – some of them were the ones who were already married twice and their husbands had died. This plurality, incidentally, came to pass in his later years.

Let us not forget that his noble Companions, both men and women who had seen him in the state of Islam, loved him dearly. They would have laid down their lives at his command. If he was so inclined to do, he would have married none but virgin wives. In fact, there was nothing to stop him from keeping a wife for one or two months and then take new ones in their place. But, he never did this.

There is yet another fact which needs to be mentioned here. Our master, Sayyidna Muhammad Al Muṣṭafa was a true prophet of Allah and a prophet is no man of the mundane. He never follows his desires. What he does, he does with the leave and will of Allah. Once his prophethood is accepted, all objections stand eliminated. But, should there be one who not only refuses to accept a prophet as a prophet but goes a step farther and accuses that he allowed himself to take many wives to seek sexual gratification, then, such a person will be told: If this was so, why would the noble prophet proclaim the restriction against himself in matters relating to plurality of marriages, something which finds mention in the verse لَا يَحِلُّ لَكَ الْيَسَاءُ مِنْ بَعْدُ (It is not lawful for you to take (more) wives after this. – 33:52). That he proclaimed this restriction against his own self, openly and conclusively proves that whatever he did, he did with the leave and will of his Lord.

As pointed out earlier, the educational benefits because of this plurality of marriages that reached the Muslim community, as well as the very injunctions of Islam, are really so many and so detailed that they can just not be taken up here even at their briefest. Those who study books of *Aḥadith* would realize the truth of this statement. However, we do present here brief notes to serve as indicators. The Holy Prophet ﷺ had married Sayyidah Umm Salmah after her husband, Sayyidna Abu Salmah رَضِيَ اللَّهُ عَنْهُمَا had died. When she came to live with him in his house along with her children from her previous husband, the Holy Prophet ﷺ took care of her children and brought them up with love and concern. Thus he demonstrated through his conduct the way of loving and caring one must follow when bringing up step children.

Of his blessed wives, she was the only one who came with her children. If none of his wives was like her, this aspect of the upbringing of step children would have remained

practically undemonstrated and the vast community of Muslims would have remained deprived of any guidance in this matter. Her son, 'Umar ibn Abi Salmah رَضِيَ اللَّهُ عَنْهُ says: I was brought up in the lap of the Messenger of Allah ﷺ. Once, while eating with him, I was dunking my hand everywhere in the bowl. He said: سَمِّ اللَّهَ وَكُلْ بِيَمِينِكَ (Say the name of Allah and eat with your right hand and eat from what is in front of you – Bukhari, Muslim, from Mishkat, p. 363).

Sayyidah Juwayriyyah رَضِيَ اللَّهُ عَنْهَا came as a prisoner of Jihad. Like other prisoners, she too became one of the distributed and found herself in the share of Thabit ibn Qays or his cousin. But, she succeeded in making a deal with her master. The deal was that she would give him a certain amount of money against which he will release her. After making this arrangement, she came to the Holy Prophet ﷺ and sought financial assistance from him. He said: 'Shall I not tell you something much better than this? That I pay on your behalf and marry you?' She agreed with pleasure. Thereupon, he paid the amount due on her behalf and married her. This resulted in something unusually benign. Hundreds of Sayyidah Juwayriyyah's people had by that time passed into the ownership of the noble Companions because all of them had come as prisoners. When the Companions found out that the Holy Prophet ﷺ had married her, all of them released their respective slaves out of deference to the Holy Prophet ﷺ. Just imagine how elegant the propriety of their behaviour was, how genuine, how sublime. It was in view of their emotional realization that all these people have now become connected with the family of the Holy Prophet ﷺ in bonds of inlawship, that they simply could not have the audacity to keep them as slaves. So, they set all of them free. Sayyidah 'Aishah رَضِيَ اللَّهُ عَنْهَا says about this incident:

فَلَقَدْ أُعْتِقَ بَنُزُوجِهِ إِيَّاهَا مِائَةُ أَهْلِ بَيْتِ الْمُصْطَلِقِ. فَمَا أَغْلَمَ امْرَأَةً أُعْطِمَ بَرَكَهَ عَلَى قَوْمِهَا مِنْهَا.
Because of his marriage with Juwayriyyah, one hundred families from Banu Al Muṣṭaliq became free. I know no other woman who proved to be greater in blessing for her people.

Sayyidah Umm Habibah رَضِيَ اللَّهُ عَنْهَا had become a Muslim in Makkah during the early days of Islam along with her husband. Later on, both husband and wife migrated to Ethiopia as members of a caravan of several men and women. After reaching there, her husband became a Christian and it so happened that a few days later, he died. The Holy Prophet ﷺ proposed to her through the good offices of Najashi (Negus, Emperor of Ethiopia) which she accepted and it was in Ethiopia that the same Najashi gave her in marriage to the Holy Prophet ﷺ. It is interesting to note that Sayyidah Umm Habibah رَضِيَ اللَّهُ عَنْهَا was the daughter of Sayyidna Abu Sufyan. He was, at that time, the leader of the group which regarded hostility to Islam as its main objective in life. They were always on the look-out for excuses to hurt Muslims and torture the Prophet of God. If they ever got the chance they would have not hesitated for a moment to eliminate him once and for all. When he found out about this marriage, he uttered the following words involuntarily: هُوَ الْفَحْلُ، لَا يُجْدَعُ أَنْفُهُ literally: 'He is a man of valour. His nose cannot be cut off.' The sense was that the Holy

Prophet ﷺ is a man of honour. It is not easy to disgrace him. Here we are doing our best to disgrace him and there we see, right under our noses, that our daughter has become his wife.

In short, this marriage proved to be a weapon of psychological warfare. The ambitions of the leader of the kafirs against Muslims were watered down. That this marriage brought in its wake political gain for Islam and Muslims can hardly be denied in terms of the importance and need for it. This gain is certainly something God's farsighted and wise Messenger had, in all likelihood, in sight.

Apart from the present summary view, those who have deeper access to the *Sirah* would find many more elements of wisdom in his plurality of marriages. The treatise entitled, *Kathratul Azwaj li Sahibil Mi'raj* by my venerated master, Maulana Ashraf 'Ali Thanavi, is useful.

The details we have provided here are there to remove the golden trap laid out by atheists and orientalists. Though unfortunate, yet the truth is that this trap sucks in a lot of educated but ignorant Muslims. They go into the spider's web and do not return because they do not know the *Sirah* of the noble prophet and the history of Islam directly from their authentic sources. Their knowledge of everything Islamic comes from (anti-Islam) books written by the so-called orientalists.

Only one wife where injustice is likely

Let us now see what the Quran says after allowing up to four wives. It says:

فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ

But, if you fear that you will not maintain equity, then, (keep to) one woman, or a bondwoman you own. (4:3)

From here we find out that having more than one wife is permissible and appropriate only on condition that equality can be maintained among all wives as required under the Shari'ah of Islam, and that the rights of all can be duly fulfilled. If one does not have the capability to discharge his obligations in this manner, the rule is to keep to only one wife. As stated earlier, the injustice of multiple marriages during *Jahiliyyah* without any considerations of rights of wives had made a mockery of this field of human relationship. So, the Quranic command was: If you are unable to do perfect justice between wives, then restrict yourself to no more than one, or make do with a bondwoman you may own.

At this point, please keep in mind that the Quranic expression *مَا مَلَكَتْ أَيْمَانُكُمْ* which means 'a bondwoman one may have', has very special conditions under which such possession becomes possible, conditions which generally do not just exist these days. Therefore, the act of starting to live with someone out of wedlock, just by declaring that she was a 'bondwoman' owned by the person involved, as something allowed by the Shari'ah of Islam, is *non sequitur* and patently *haram*, (unlawful). Any more details about it would simply be out of place here.

The outcome (to be seen as a whole) is that the Quran has permitted having four wives in marriage which means that marriages entered into within this limit will be correct and permissible. But, under such a contingency, that of having more than one wife, it will be obligatory (*wajib*) to maintain justice and equality between them. Doing otherwise is a grave sin. So, anyone who thinks of having more than one wife should first think about all those factors and conditions around him and, more importantly, look into himself, introspect, weigh, deliberate and figure out realistically whether or not he has the ability, or the capability or quality to treat all of them equally and justly without causing the least infringement of their rights. If strong likelihood exists that one will not be able to come up to the standard and most probably will fail to maintain such justice and equality, then, having the audacity to go ahead and step into the bonds of more than one marriage is really a thoughtless plunge into a grave sin. One must stay away from doing something like this and, human condition being what it is, living with only one wife should be considered quite sufficient.

Speaking legally, if a person marries more than four women in a single offer and acceptance, the marriage shall be void *ab initio* because nobody has the right to have more than four wives. As far as marriages within the limit of four are concerned, they shall be deemed as valid marriages all right, but any shortcoming in treating wives equally and justly will be an act of grave sin. In addition to that, any infringement of a wife's rights can be challenged in an Islamic Court and the aggrieved wife can receive redress from there.

The Holy Prophet ﷺ has laid great emphasis on maintaining full equality and justice between all wives and he has given stern warnings against those who do otherwise. Above all, he has demonstrated the desirable ideal through his own conduct, reaching the outer limits of treating his wives equally even in matters in which equality is not mandatory.

In a *hadith*, the Holy Prophet ﷺ has said: 'Anyone who has two wives and he cannot fulfill their rights equally and justly, shall be raised on the Day of Doom in a condition that one of his shoulders will be drooping down.' (Mishkat, p. 278)

We should, however, keep in mind that this equality of treatment is necessary in things which are within the control of man. For example, the coverage of personal expenses and parity in overnight stays. As for things out of man's control, such as the natural inclination of his heart which might tilt towards one of them, there is no accountability there for this is not a matter of choice. However, the binding condition is that this tilt should not affect matters which are within man's control. Our noble prophet, may Allah bless him for ever and ever, treated his venerated wives with full equality in everything within his control, yet he pleaded with his Lord:

اللَّهُمَّ هَذَا قَسْمِي فِي مَا أَمْلِكُ، فَلَا تَلْمِزْنِي فِي مَا تَمْلِكُ وَلَا أَمْلِكُ.

O Allah, this is my 'equalization' in what I control. So, do not hold me accountable in matters You control and I do not.

Obviously, something even an infallible Messenger of God is not able to do, how can someone else claim to have the ability to do it? Therefore, in another verse of the Holy Quran, this 'matter out of man's control' has been mentioned in the following words:

وَلَنْ تَسْتَطِيعُوا أَنْ تَعْدِلُوا بَيْنَ النِّسَاءِ

And you shall be unable to maintain perfect equality between the women. (4:129)

Here, it has been made clear that love and the tilt of the heart are something out of man's control. It is beyond man's power to achieve perfect equality of treatment in what comes from the territory of the heart. But, even this involuntary conduct has not been left totally unchecked and unbalanced. In order to correct it, it was said: فَلَا تَمِيلُوا كُلَّ الْمَيْلِ (So, do not tilt, the full tilt). It means: If you love one of your wives more than the other, there is nothing you can do about it. But, total indifference and heedlessness towards the other wife is not permissible even under this situation. The justice and equality mentioned in the sentence فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا (If you fear that you will not maintain equity, then {keep to} one woman) refers to the same justice in matters of choice and volition, any discrepancy in which is a great sin. So much so, that a person who sees the danger of his getting involved with this sin has been instructed not to marry more than one woman.

A doubt and its answer

Because some people have lost sight of details given above, they have fallen into a strange error. When they compare the verse under discussion, 4:3, and the verse quoted just a little earlier, 4:129, they are confused. They think: Here is this verse from Surah An Nisa' which carries the command: 'If you fear that you will not maintain equity, then (keep to) one woman.' Then, there is this second verse which says categorically that justice and equality (among wives) is just not possible. As a result, they doubt, having more than one wife should not be permissible. But, such people should ask themselves: If, through these verses, Allah Almighty aimed at putting a cap over more than one marriage, what need was there to go into all these details? Why would the Quran say: فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنَى وَثُلَاثَ وَرُبَاعَ that is, 'marry women you like, in twos and threes and fours?' And then, what would be the meaning of saying: فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا that is, 'if you fear that you will not do justice' – for, in this situation, injustice is certain. How can we then explain the element of *fear* which would become meaningless?

In addition to this, the words and deeds of the Holy Prophet ﷺ and the noble Companions رَضِيَ اللَّهُ عَنْهُمْ and their consistent practice prove the fact that having more than one wife (up to four) was never prevented in Islam. The truth of the matter is what has been stated earlier, that is, the first verse of Surah An Nisa' talks about justice and equality in what man can do by choice while the second verse points out to man's inability to control lack of equal treatment when it comes to love and emotional inclination. Therefore, these two verses have no contradiction, nor does it prove that plurality of marriages is absolutely forbidden.

Towards the end of the verse, it was said: ذَٰلِكَ أَنتَىٰ ۖ لَا تَعُولُوا (It will be closer to your not doing injustice). In this verse, the word أَنتَىٰ ('adna') has been derived from دُنُوٌّ ('dunuwwun') which means nearness and the other word لَا تَعُولُوا ('la ta'ulu') is from مَالَ يَمِيلُ عَلَٰ يَغُولُ which means inclination or tilt. Here it has been used in the sense of impermissible inclination culminating in injustice and wrong-doing.

It means: What you have been told in this verse (that is, in absence of being unable to do justice, having only one wife or making do with one's bondwoman) is something which, if you elect to follow it, will help you in staying safe from doing any injustice and the chances of any additional oppression and transgression will be eliminated.

There is a doubt here: When a man has one wife, there will be just no chance of injustice. Why then, it was said, by adding the word, 'adna' that 'it will be closer to your not doing injustice', instead, the statement should have been something to the effect that it will make you totally safe from this injustice.

The answer is: The addition of the word, 'adna' (closer) in the text is there to point out to all those people who would not hesitate in inflicting all sorts of injustices on even one wife. So, to block this source of injustice, the absence of more than one wife is not enough. In this situation, however, the likelihood does exist that the danger of injustice will decrease and you will come closer to justice. But, the complete deliverance from injustice and oppression will only be possible when the rights of one wife are totally and fully given and she is treated fairly and generously, forgiving her shortcomings and being patient with her crooked ways.